



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Public Hearing to Consider the Industrial Substation Reorganization Including Annexation to the City of Lodi and Detachment from the Mokelumne Fire District and the S. J. C. Resource Conservation District

MEETING DATE: May 1, 1991

PREPARED BY: City Clerk

RECOMMENDED ACTION: Council adopt Resolution No. 91-82 - A Resolution of the City Council of the City of Lodi, California, following a public hearing held pursuant to State of California Government Code Section 5700 et seq. approving the Industrial Substation Reorganization, including annexation to the City of Lodi and detachment from the Mokelumne Fire District and the S. J. C. Resource Conservation District (see Exhibit A attached).

BACKGROUND INFORMATION: On October 17, 1990, Council adopted Resolution No. 90-160 initiating annexation proceedings on the subject parcel.

Following a public hearing regarding the matter held on March 15, 1991 before LAFCO, the Local Agency Formation Commission of San Joaquin County, it determined and ordered the following:

1. The Environmental Impact Report adopted by the City of Lodi as lead agency has been reviewed and considered, and findings of fact and a statement of overriding considerations are hereby adopted.
2. The above entitled reorganization is approved subject to the terms and conditions contained herein.
3. The boundaries are hereby approved as submitted, said boundaries being set forth in Exhibit A.
4. The affected territory is uninhabited.
5. The City of Lodi is designated as the conducting authority and the City Council is authorized to initiate proceedings for uninhabited reorganization in accordance with Section 57000 et seq. of the Government Code.

APPROVED: _____

THOMAS A. PETERSON
City Manager



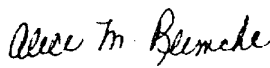
Industrial Substation Annexation
Public Hearing
May 1, 1991
Page Two

Attached is a copy of Resolution No. 825 before the Local Agency Formation Commission of San Joaquin County - Resolution Approving the Industrial Substation Reorganization (LAFCO 4-91) Including Annexation to the City of Lodi and Detachment from the Mokelumne Fire District and the S. J. C. Resource Conservation District (Exhibit B).

On November 7, 1990, Council adopted Ordinance No. 1499 rezoning the Industrial Substation site to M-2, Heavy Industrial.

At the April 3, 1991 meeting, Council adopted Resolution No. 91-69 - Resolution directing the City Clerk, pursuant to the State of California Government Code Section 5700 et seq., to set a public hearing May 1, 1991 at 7:30 p.m. to consider the Industrial Substation Reorganization, including annexation to the City of Lodi and detachment from the Mokelumne Fire District and the S. J. C. Resource Conservation District. The appropriated advertising and mailings were made pursuant to State statute.

FUNDING: None required.


Alice M. Reimche
City Clerk

RESOLUTION NO. 91-82

A RESOLUTION OF THE LODI CITY COUNCIL
ORDERING THE INDUSTRIAL SUBSTATION REORGANIZATION (LAFC 4-91) WITH
NOTICE AND HEARING, INCLUDING ANNEXATION TO THE CITY OF LODI,
AND DETACHMENT FROM THE MOKELUMNE FIRE DISTRICT AND THE
SAN JOAQUIN COUNTY (S.J.C.) RESOURCE CONSERVATION DISTRICT.

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IN THE MATTER OF THE INDUSTRIAL SUBSTATION)	RESOLUTION MAKING
REORGANIZATION (LAFC 4-91) INCLUDING)	DETERMINATIONS AND
ANNEXATION TO THE CITY OF LODI, AND)	ORDERING REORGANIZATION
DETACHMENT FROM THE MOKELUMNE FIRE)	WITH NOTICE AND
DISTRICT AND THE SAN JOAQUIN COUNTY)	HEARING
(S.J.C.) RESOURCE CONSERVATION DISTRICT)	

Section 1. RESOLVED, BY THE LODI CITY COUNCIL that it determines:

- a) Preliminary proceedings for the annexation of certain described territory to the City of Lodi and detachment from the Mokelumne Fire District and the San Joaquin County (S.J.C.) Resource Conservation District were initiated by the filing of the City of Lodi's Resolution No. 90-160 with the Local Agency Formation Commission in the County of San Joaquin, proposing annexation of 16.4 acres more or less of property, pursuant to the requirements of the Local Government Reorganization Act.
- b) Thereafter, appropriate proceedings were conducted by said Local Agency Formation Commission, and said Commission on March 15, 1991, adopted Resolution 825 approving the proposed annexation, subject to the terms and conditions set forth within the subject resolution.
- c) Resolution No. 825 of the Local Agency Formation Commission approving the proposed annexation also authorized the City of Lodi to complete proceedings for uninhabited reorganization with notice and hearing, as the designated conducting authority in accordance with Section 57000 et seq. of the Government Code.
- d) On April 3, 1991, the Lodi City Council adopted Resolution No. 91-69 directing the City Clerk, pursuant to Government Code Section 57000 et seq., to set a public hearing for the regular City Council meeting of May 1, 1991 at 7:30 p.m. to consider the Industrial Substation reorganization, and detachment from the Mokelumne Fire District and the S.J.C. Resource Conservation District. The appropriate advertising and mailings were made pursuant to State statute.
- e) On May 1, 1991, a public hearing was held pursuant to Government Code Section 57000 et seq., and as directed by Resolution 91-69 described in subsection d) above.

Section 2. BE IT FURTHER RESOLVED, BY THE LODI CITY COUNCIL:

That the proposal for annexation is ORDERED in accordance with Section 57000 et seq. of the Government Code of the State of California, to wit:

1. Industrial Substation (contiguous) Annexation to the City of Lodi.
2. Detachment of Industrial Substation from the Mokelumne Fire District and the San Joaquin County (S.J.C.) Resource Conservation District.
3. A description of said territory is attached hereto (Exhibit A) and made a part hereof.

Dated: May 1, 1991

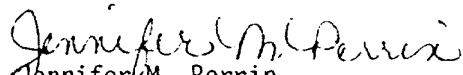
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I hereby certify that Resolution No. 91-82 was passed and adopted by the City Council of the City of Lodi in a regular meeting held May 1, 1991 by the following vote:

Ayes: Council Members - Pennino, Pinkerton, Sieglock, Snider
and Hinchman (Mayor)

Noes: Council Members - None

Absent: Council Members - None


Jennifer M. Perrin
Deputy City Clerk

for Alice M. Reimche
City Clerk

RES9182/TXTA.02J

91-82

EXHIBIT A

March 4, 1991

INDUSTRIAL SUBSTATION ANNEXATION TO THE CITY OF LODI San Joaquin County, California

A portion of the northeast-quarter of Section 7, Township 3 North, Range 7 East, Mount Diablo Base and Meridian, more particularly described as follows:

Beginning at the northwest corner of said northeast-quarter of Section 7, said corner being on the north line of the Central California Traction Company's 100 foot wide right of way, and also being on the Lodi City Limit Line; thence along said City Limit line, South $87^{\circ} 20' 49''$ East, being along the north line of said Section 7 and said Traction Company's north right of way line, 533.24 feet to the northerly production of the east line of that certain 15.16 acre parcel of land shown on Record of Survey, filed in Book of Surveys, Volume 31, page 75, San Joaquin County Records; thence leaving said City Limit line, South $0^{\circ} 47' 19''$ East along said northerly production and east line, 1,332.75 feet to the southeast corner of said 15.16 acre parcel, being on said City Limit line; thence along said City Limit line the following two (2) courses: (1) North $87^{\circ} 33' 30''$ West along the south line of said 15.16 acre parcel, 539.08 feet to the west line of said northeast-quarter, and (2) North $0^{\circ} 32' 00''$ West along said west line, 1,334.40 feet to the point of beginning.

Containing 16.4 acres, more or less.

RECOMMENDED APPROVAL AS TO DESCRIPTION BY:

Robert M. DeRamek

Chief Deputy County Surveyor

APPROVED BY:

Henry M. Thurata
County Surveyor

I 1C060SC1

EXHIBIT B

RESOLUTION NO. 825

BEFORE THE LOCAL AGENCY FORMATION COMMISSION OF SAN JOAQUIN
RESOLUTION APPROVING THE INDUSTRIAL SUBSTATION REORGANIZATION
(4-91) Including Annexation To The City Of Lodi And Detachment
From The Mokelumne Fire District And The S.J.C. Resource
Conservation District

WHEREAS, the above entitled proposal was initiated by resolution of the City of Lodi, and on February 12, 1991, the Executive Officer certified the application filed for processing in accordance with the Local Government Reorganization Act; and,

WHEREAS, the Commission held a public hearing on the proposed reorganization on March 15, 1991, in the Board of Supervisors Chambers, County Courthouse, pursuant to notice of hearing which was published, posted and mailed in accordance with State law; and,

WHEREAS, at said hearing the Commission heard and received evidence, both oral and documentary, submitted in favor of and in opposition to the proposed reorganization and all persons present were given and opportunity to be heard.

NOW THEREFORE, the Local Agency Formation Commission of San Joaquin County DOES HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

Section 1. The Environmental Impact Report adopted by the City of Lodi as lead agency has been reviewed and considered, and findings of fact and a statement of overriding considerations are hereby adopted.

Section 2. The above entitled reorganization is approved subject to the terms and conditions contained herein.

Section 3. The boundaries are hereby approved as submitted, said boundaries being set forth in Exhibit A.

Section 4. The affected territory is uninhabited.

Section 5. The City of Lodi is designated as the conducting authority and the City Council is authorized to initiate proceedings for uninhabited reorganization in accordance with Section 57000 et. seq. of the Government Code.

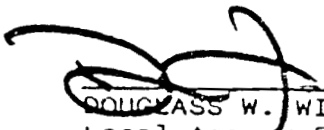
Section 6. The Executive Officer is hereby authorized and directed to mail and file certified copies of this resolution as required by Section 56853 of the Government Code.

PASSED AND ADOPTED this 15th day of March 1991, by the following vote:

AYES: Commissioners Darrah, Nelson, Perry, Simas and Chairman Wilhoit

NOES: None

ABSTAIN: Commissioner Barber


DOUGLASS W. WILHOIT, CHAIRMAN
Local Agency Formation Commission
of San Joaquin County

THE FOREGOING IS A CORRECT COPY OF
THE ORIGINAL OF FILE IN THIS OFFICE

GEORGE A. BROWN
EXECUTIVE OFFICER

By: 
COMMISSION CLERK

Date: 3/20/91

EXHIBIT A

March 4, 1991

INDUSTRIAL SUBSTATION ANNEXATION TO THE CITY OF LODI San Joaquin County, California

A portion of the northeast-quarter of Section 7, Township 3 North, Range 7 East, Mount Diablo Base and Meridian, more particularly described as follows:

Beginning at the northwest corner of said northeast-quarter of Section 7, said corner being on the north line of the Central California Traction Company's 100 foot wide right of way, and also being on the Lodi City Limit Line; thence along said City Limit line, South $87^{\circ} 20' 49''$ East, being along the north line of said Section 7 and said Traction Company's north right of way line, 533.24 feet to the northerly production of the east line of that certain 15.16 acre parcel of land shown on Record of Survey, filed in Book of Surveys, Volume 31, page 75, San Joaquin County Records; thence leaving said City Limit line, South $0^{\circ} 47' 19''$ East along said northerly production and east line, 1,332.75 feet to the southeast corner of said 15.16 acre parcel, being on said City Limit line; thence along said City Limit line the following two (2) courses: (1) North $87^{\circ} 33' 30''$ West along the south line of said 15.16 acre parcel, 539.08 feet to the west line of said northeast-quarter, and (2) North $0^{\circ} 32' 00''$ West along said west line, 1,334.40 feet to the point of beginning.

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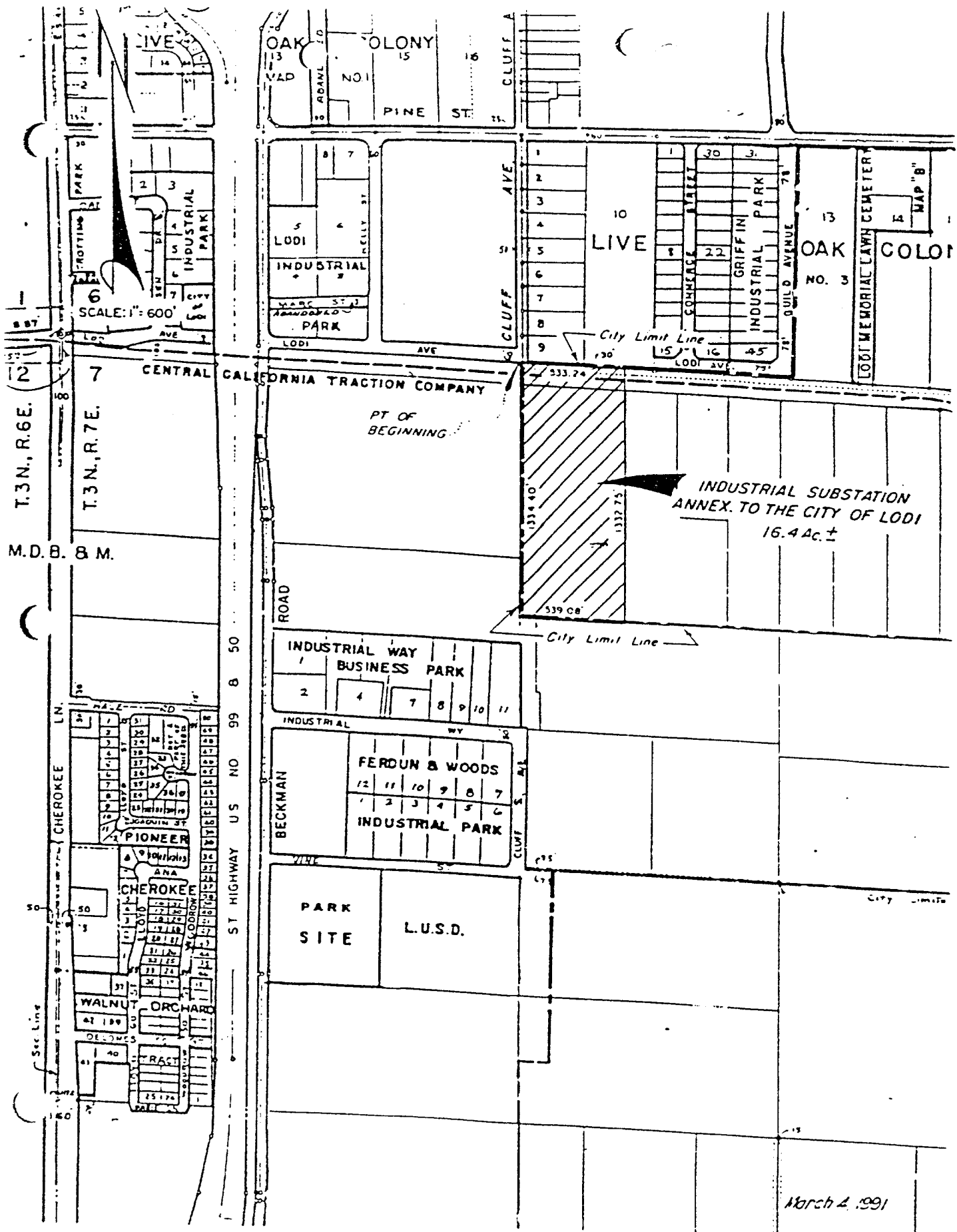
RECOMMENDED APPROVAL AS TO DESCRIPTION OF:

Robert W. DeRamek
Chief of City, County Surveyor

APPROVED BY:

Henry M. Thrata
County Surveyor

I 1C060SC1



CITY COUNCIL

DAVID M. HINCHMAN, Mayor
JAMES W. PINKERTON, Jr.
Mayor Pro Tempore
PHILLIP A. PENNINO
JACK A. SIEGLOCK
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 334-6795

THOMAS A. PETERSON
City Manager

ALICE M. REIMCHE
City Clerk

BOB McNATT
City Attorney

May 10, 1991

Mr. Gerald F. Scott
Executive Officer
Local Agency Formation Commission
County Courthouse, Room 153
222 East Weber Avenue
Stockton, CA 95202

Re: Industrial Substation Reorganization (LAFC 4-91) Including
Annexation to the City of Lodi and Detachment from the Mokelumne
Fire District and the San Joaquin County (S.J.C.) Resource
Conservation District

Dear Mr. Scott:

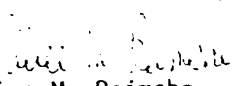
Pursuant to the Commission's Resolution No. 825, the Lodi City Council, in action taken at its May 1, 1991 Regular City Council meeting, adopted Resolution No. 91-82 ordering the Industrial Substation Reorganization (LAFC 4-91), following notice and hearing, including annexation to the City of Lodi and detachment from the Mokelumne Fire District and the San Joaquin County (S.J.C.) Resource Conservation District.

The City of Lodi issued and filed herewith, pursuant to your earlier direction, a check in the amount of \$180.00 payable to the State Board of Equalization covering the filing fee.

Also, enclosed herewith please find six certified copies of the heretofore mentioned Resolution No. 91-82.

Should you have any questions, please do not hesitate to call this office.

Very truly yours,


Alice M. Reimche
City Clerk

AMR/jmp

Enclosures

CC-300

DECLARATION OF MAILING

On April 4, 1991 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 4, 1991, at Lodi, California.

Alice M. Reimche
City Clerk

Jennifer M. Perrin
Deputy City Clerk

DEC/01
TXTA.FRM

RESOLUTION NO. 91-69
=====

A RESOLUTION OF THE LODI CITY COUNCIL
DIRECTING THE CITY CLERK, PURSUANT TO STATE OF CALIFORNIA
GOVERNMENT CODE SECTION 5700 ET SEQ. TO SET A PUBLIC HEARING TO
CONSIDER THE INDUSTRIAL SUBSTATION REORGANIZATION, INCLUDING ANNEXATION TO THE
CITY OF LODI AND DETACHMENT FROM THE MOKELUMNE FIRE DISTRICT AND THE
S. J. C. RESOURCE CONSERVATION DISTRICT

=====

WHEREAS, the above-entitled proposal for the Industrial Substation Reorganization, including annexation to the City of Lodi and detachment from the Mokelumne Fire District and the S. J. C. Resource Conservation District was initiated by the City of Lodi with adoption of Resolution No. 90-160 entitled, "A Resolution of the Lodi City Council for Application to the San Joaquin County Local Agency Formation Commission in the Matter of the Proposed Industrial Substation Addition Including the Detachment of Certain Territory Within the Area Proposed for Annexation to the City of Lodi" on October 17, 1990, and on February 12, 1991, the Local Agency Formation Commission of San Joaquin Executive Officer certified the application filed for processing in accordance with the Local Government Reorganization Act; and --

WHEREAS, following a public hearing regarding the matter held on March 15, 1991, the Local Agency Formation Commission of San Joaquin County adopted Resolution No. 825 - Resolution Approving the Industrial Substation Reorganization (LAFCO 4-91) Including Annexation to the City of Lodi and Detachment from the Mokelumne Fire District and the S. J. C. Conservation District determining and ordering the following:

1. The Environmental Impact Report adopted by the City of Lodi as lead agency has been reviewed and considered, and findings of fact and a statement of overriding considerations are hereby adopted.
2. The above titled organization is approved subject to the terms and conditions contained herein.
3. The boundaries are hereby approved as submitted, said boundaries being set forth in Exhibit B.
4. The affected territory is uninhabited.
5. The City of Lodi is designated as the conducting authority and the City Council is authorized to initiate proceedings for uninhabited reorganization in accordance with Section 5700 et seq. of the Government Code.
6. The Executive Officer is hereby authorized and directed to mail and file certified copies of this resolution as required by Section 56853 of the Government Code.

Resolution No. 91-69
Industrial Substation
Page Two

NOW, THEREFORE, BE IT RESOLVED THAT THE LODI CITY COUNCIL does hereby direct the City Clerk, pursuant to State of California Government Code Section 5700 et seq., to set a public hearing for Wednesday, May 1, 1991 at 7:30 p.m. to consider the Industrial Substation Reorganization including annexation to the City of Lodi and detachment from the Mokelumne Fire District and the S. J. C. Resource Conservation District.

The subject public hearing will be held in the Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California.

Dated: April 3, 1991

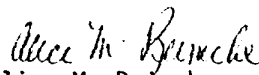
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I hereby certify that Resolution No. 91-69 was passed and adopted by the Lodi City Council in a regular meeting held April 3, 1991 by the following vote:

Ayes: Council Members - Pennino, Pinkerton, Sieglock, Snider and
Hinchman (Mayor)

Noes: Council Members - None

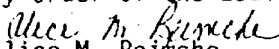
Absent: Council Members - None


Alice M. Reimche
City Clerk

All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.


If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing

By Order Of the Lodi City Council:


Alice M. Reimche

Date: April 3, 1991

Approved as to form:


Bobby W. McNatt
City Attorney

91-69

RES9169/TXTA.02J

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EXHIBIT

CC-200
CC-200

RESOLUTION NO. 91-69
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A RESOLUTION OF THE LODI CITY COUNCIL
DIRECTING THE CITY CLERK, PURSUANT TO STATE OF CALIFORNIA
GOVERNMENT CODE SECTION 5700 ET SEQ. TO SET A PUBLIC HEARING TO
CONSIDER THE INDUSTRIAL SUBSTATION REORGANIZATION, INCLUDING ANNEXATION TO THE
CITY OF LODI AND DETACHMENT FROM THE MOKELUMNE FIRE DISTRICT AND THE
S. J. C. RESOURCE CONSERVATION DISTRICT

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WHEREAS, the above-entitled proposal for the Industrial Substation Reorganization, including annexation to the City of Lodi and detachment from the Mokelumne Fire District and the S. J. C. Resource Conservation District was initiated by the City of Lodi with adoption of Resolution No. 90-160 entitled, "A Resolution of the Lodi City Council for Application to the San Joaquin County Local Agency Formation Commission in the Matter of the Proposed Industrial Substation Addition Including the Detachment of Certain Territory Within the Area Proposed for Annexation to the City of Lodi" on October 17, 1990, and on February 12, 1991, the Local Agency Formation Commission of San Joaquin Executive Officer certified the application filed for processing in accordance with the Local Government Reorganization Act; and

WHEREAS, following a public hearing regarding the matter held on March 15, 1991, the Local Agency Formation Commission of San Joaquin County adopted Resolution No. 825 - Resolution Approving the Industrial Substation Reorganization (LAFCO 4-91) Including Annexation to the City of Lodi and Detachment from the Mokelumne Fire District and the S. J. C. Conservation District determining and ordering the following:

1. The Environmental Impact Report adopted by the City of Lodi as lead agency has been reviewed and considered, and findings of fact and a statement of overriding considerations are hereby adopted.
2. The above titled organization is approved subject to the terms and conditions contained herein.
3. The boundaries are hereby approved as submitted, said boundaries being set forth in Exhibit B.
4. The affected territory is uninhabited.
5. The City of Lodi is designated as the conducting authority and the City Council is authorized to initiate proceedings for uninhabited reorganization in accordance with Section 5700 et seq. of the Government Code.
6. The Executive Officer is hereby authorized and directed to mail and file certified copies of this resolution as required by Section 56853 of the Government Code.

Resolution No. 91-69
Industrial Substation
Page Two

NOW, THEREFORE, BE IT RESOLVED THAT THE LODI CITY COUNCIL does hereby direct the City Clerk, pursuant to State of California Government Code Section 5700 et seq., to set a public hearing for Wednesday, May 1, 1991 at 7:30 p.m. to consider the Industrial Substation Reorganization including annexation to the City of Lodi and detachment from the Mokelumne Fire District and the S. J. C. Resource Conservation District.

The subject public hearing will be held in the Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California.

Dated: April 3, 1991

=====

I hereby certify that Resolution No. 91-69 was passed and adopted by the Lodi City Council in a regular meeting held April 3, 1991 by the following vote:

Ayes: Council Members - Pennino, Pinkerton, Sieglock, Snider and
Hinchman (Mayor)

Noes: Council Members - None

Absent: Council Members - None

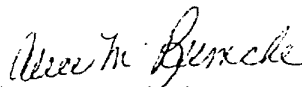

Alice M. Reimche
City Clerk

EXHIBIT A

March 4, 1991

INDUSTRIAL SUBSTATION ANNEXATION TO THE CITY OF LODI San Joaquin County, California

A portion of the northeast-quarter of Section 7, Township 3 North, Range 7 East, Mount Diablo Base and Meridian, more particularly described as follows:

Beginning at the northwest corner of said northeast-quarter of Section 7, said corner being on the north line of the Central California Traction Company's 100 foot wide right of way, and also being on the Lodi City Limit Line; thence along said City Limit line, South $87^{\circ} 20' 49''$ East, being along the north line of said Section 7 and said Traction Company's north right of way line, 533.24 feet to the northerly production of the east line of that certain 15.16 acre parcel of land shown on Record of Survey, filed in Book of Surveys, Volume 31, page 75, San Joaquin County Records; thence leaving said City Limit line, South $0^{\circ} 47' 19''$ East along said northerly production and east line, 1,332.75 feet to the southeast corner of said 15.16 acre parcel, being on said City Limit line; thence along said City Limit line the following two (2) courses: (1) North $87^{\circ} 33' 30''$ West along the south line of said 15.16 acre parcel, 539.08 feet to the west line of said northeast-quarter, and (2) North $0^{\circ} 32' 00''$ West along said west line, 1,334.40 feet to the point of beginning.

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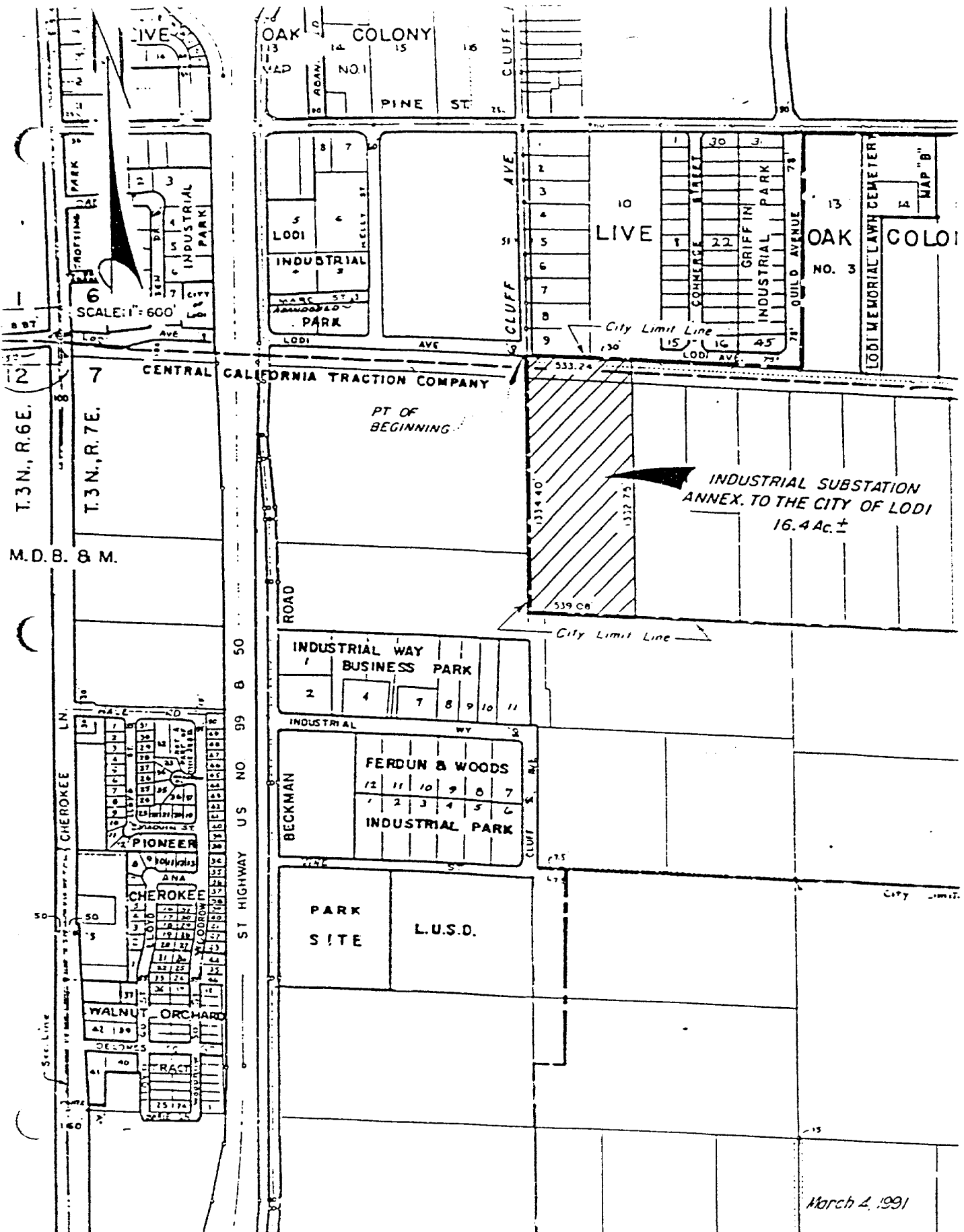
RECOMMENDED APPROVAL AS TO DESCRIPTION OF

Robert DeHamer
Chief Deputy County Surveyor

APPROVED BY

Kenny M. Murata
County Surveyor

I 1C060SC1



~~CC-8(A)~~

CC-300

DECLARATION OF MAILING

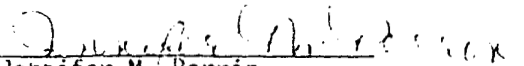
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I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 4, 1991, at Lodi, California.

Alice M. Reimche
City Clerk



Jennifer M. Perrin
Deputy City Clerk

DEC/01
TX1A.FRM

RESOLUTION NO. 91-69

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Resolution No. 91-69
Industrial Substation
Page Two

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The subject public hearing will be held in the Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California.

Dated: April 3, 1991

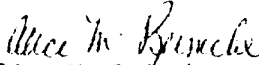
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I hereby certify that Resolution No. 91-69 was passed and adopted by the Lodi City Council in a regular meeting held April 3, 1991 by the following vote:

Ayes: Council Members - Pennino, Pinkerton, Sieglock, Snider and Hinchman (Mayor)

Noes: Council Members - None

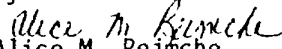
Absent: Council Members - None


Alice M. Reimche
City Clerk

All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.


If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing

By Order Of the Lodi City Council:


Alice M. Reimche

Date: April 3, 1991

Approved as to form:


Bobby W. McNatt
City Attorney

91-69

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